

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

DARREN C. DEMARIE,

Plaintiff,

vs.

REGINALD MICHAEL, LYNN  
GUYER, JAMES SALMONSEN,  
CHRISTINE KLANECKY, and PETER  
BLUDWORTH,

Defendants.

CV-21-0008-H-SEH

ORDER

The Court dismissed Darren C. DeMarie’s (“DeMarie”) complaint under 42 U.S.C. § 1983 on July 1, 2021 for failure to state a claim for relief.<sup>1</sup> Judgment was entered.<sup>2</sup> On July 12, 2021, DeMarie moved to alter or amend the judgment, citing Fed. R. Civ. P. 59(e) and contending the Court based its decision on a manifest error of law or fact.

The court enjoys considerable discretion in granting or denying the sparingly granted extraordinary remedy of amendment of judgment.<sup>3</sup>

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<sup>1</sup> Doc. 8.

<sup>2</sup> Doc. 9.

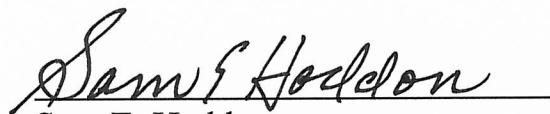
<sup>3</sup> *McDowell v. Claderon*, 197 F. 3d 1253, 1255 n. 1 (9<sup>th</sup> Cir. 1999) (en banc) (per curiam).

Deficiencies in complaint cannot be remedied by amendment. No valid basis under Fed. R. Civ. P. 59(e), to alter or amend the judgment is shown.

ORDERED:

DeMarie's Motion to Alter or Amend<sup>4</sup> is DENIED.

DATED this 20<sup>th</sup> day of July, 2021.

  
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Sam E. Haddon  
United States District Court Judge

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<sup>4</sup> Doc. 10.